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PTO/SB/05 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

EMC-005PUS

First Inventor

Ananthan K. Pillai

Title

METHOD AND APPARATUS FOR COMPUTING FILE

Express Mail Label No.

EF380711844US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages **26**]
(preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets **8**]
5. Oath or Declaration [Total Pages **4**]
- a. ☒ Newly executed (original or copy)
Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
- b. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
named in the prior application, see 37 CFR
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent. Pt Apl Title Page
17. ☒ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation☐ Divisional☐ Continuation-in-part (CIP)

of prior application No.: _____

Prior application information:

Examiner: _____

Group Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been previously omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒

Customer Number or Bar Code Label

(Report Customer No. or Bar Code Label for each filing here)

or ☒

Correspondence address below

Name

Christopher S. Daly

Address

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Canton

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MA

Zip Code

02021-2310

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Registration No. (Attorney/Agent)

37,303

Signature

Date

30 MAR 01

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FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)**830**

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | Not Yet Assigned |
| Filing Date | Herewith |
| First Named Inventor | Ananthan K. Pillai |
| Examiner Name | Not Yet Assigned |
| Group Art Unit | Not Yet Assigned |
| Attorney Docket No. | EMC-005PUS |

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit
Account
Number

Deposit
Account
Name

Daly, Crowley & Mofford, LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money
Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Fee Fee Fee Fee Description

| | | | | | |
|-----------|-----------|-----------|-----------|-----------|------------------------|
| Code (\$) | Code (\$) | Code (\$) | Code (\$) | Code (\$) | Fee Description |
| 101 | 710 | 201 | 355 | | Utility filing fee |
| 106 | 320 | 206 | 160 | | Design filing fee |
| 107 | 490 | 207 | 245 | | Plant filing fee |
| 108 | 710 | 208 | 355 | | Reissue filing fee |
| 114 | 150 | 214 | 75 | | Provisional filing fee |

Fee Paid

710

SUBTOTAL (1) (\$)**710**

2. EXTRA CLAIM FEES

Total Claims **16** -20** = **0** X Fee from below **18** = **0**
Independent Claims **4** -3** = **1** X **80** = **80**
Multiple Dependent =

Large Entity Small Entity

Fee Fee Fee Fee

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Fee Description

Claims in excess of 20

Independent claims in excess of 3

Multiple dependent claim, if not paid

** Reissue independent claims
over original patent

** Reissue claims in excess of 20
and over original patent

SUBTOTAL (2)

(\$)**80**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Fee Fee Fee

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Fee Description

Surcharge - late filing fee or oath

Surcharge - late provisional filing fee or
cover sheet

Non-English specification

For filing a request for *ex parte* reexamination

Requesting publication of SIR prior to
Examiner action

Requesting publication of SIR after
Examiner action

Extension for reply within first month

Extension for reply within second month

Extension for reply within third month

Extension for reply within fourth month

Extension for reply within fifth month

Notice of Appeal

Filing a brief in support of an appeal

Request for oral hearing

Petition to institute a public use proceeding

Petition to revive - unavoidable

Petition to revive - unintentional

Utility issue fee (or reissue)

Design issue fee

Plant issue fee

Petitions to the Commissioner

Petitions related to provisional applications

Submission of Information Disclosure Stmt

Recording each patent assignment per
property (times number of properties)

Filing a submission after final rejection
(37 CFR § 1.129(a))

For each additional invention to be
examined (37 CFR § 1.129(b))

Request for Continued Examination (RCE)

Request for expedited examination
of a design application

Other fee (specify)

Other fee (specify)

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Other fee (specify)

Other fee (specify)

Other fee (specify)

Fee Paid

40

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**40**

SUBMITTED BY

Name (Print/Type)

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(Attorney/Agent)

37,303

Complete (if applicable)

Telephone

781.401.9988 ext. 11

Signature

Date

SOMAR 1

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**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

Ananthan K. Pillai

Title

**METHOD AND APPARATUS FOR COMPUTING FILE STORAGE ELEMENTS FOR
BACKUP AND RESTORE**


Atty Docket Number

EMC-005PUS

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

30 MAR 01

Date



Signature

Christopher S. Daly

Typed or printed name

Reg. No. 37,303

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**